Law Reform Commission

Eighteenth Annual Report 1988/89

Manitoba
Law Reform
Commission

Manitoba

Law Reform Commission

Commission de réforme du droit

EIGHTEENTH ANNUAL REPORT

1988-89

August 1989

90-01303/

The Manitoba Law Reform Commission was established by *The Law Reform Commission Act* in 1970 and began functioning in 1971.

Commissioners:

Clifford H C. Edwards, Q.C., *Chairman*
John C. Irvine
Gerald O. Jewers, J.
Eleanor R. Dawson, Q.C.
Pearl K. McGonigal

Executive Director:

Jeffrey A. Schnoor

Legal Counsel:

Iris C. Allen (part-time)
E. Kerrie Halprin
Nancy E. Harwood
Leonard D. Schwartz

Administrator:

Suzanne Pelletier

The Commission offices are located at 521 Woodsworth Building, 405 Broadway, Winnipeg, Manitoba R3C 3L6. Tel. (204) 945-2896, Fax (204) 945-3223.

Some of the Commission's earlier Reports are no longer in print. Those that are still in print may be ordered from the Publications Branch, Office of the Queen's Printer, 200 Vaughan Street, Winnipeg, Manitoba, R3C 1T5.

Manitoba

Law Reform Commission

Commission de réforme du droit

5th Floor
Woodsworth Building
405 Broadway
Winnipeg, Manitoba, CANADA
R3C 3L6

(204) 945-2896

August 8, 1989

Hon. James C. McCrae
Minister of Justice
and Attorney General
104 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Attorney:

In accordance with section 5(2) of *The Law Reform Commission Act*, we submit herewith the 18th Annual Report of the Manitoba Law Reform Commission for the period April 1, 1988 to March 31, 1989.

Yours respectfully

Clifford H.C. Edwards, Q.C.
Chairman

INTRODUCTION

The past year has been an exciting time of regeneration for the Manitoba Law Reform Commission. As we reported in last year's Annual Report, the decision to wind up the Commission was reversed by a new government and the result has been a year of considerable, and very satisfying, activity.

In August 1988, the appointment or re-appointment of our commissioners was announced. Professor Clifford H.C. Edwards, Q.C., returned as Chairman of the Commission and Professor John C. Irvine, the Hon. Mr. Justice Gerald O. Jewers and Eleanor R. Dawson, Q.C., returned as commissioners. The Hon. Pearl K. McGonigal, former Lieutenant Governor of Manitoba, also joined the Commission as our lay member. Immediate steps were then taken to restore our staff to its former level.

Following the re-appointment of the Commissioners, the Attorney General, the Hon. James C. McCrae, requested that the Commission give high priority to two new references: a review of the Commission's own statute and *The Provincial Court Act*. These projects, details of which can be found later in this Report, have resulted in a very active year.

It was gratifying for the Commissioners to spend less time on issues of management, budget and survival and more on the true task of reform of the substantive laws of Manitoba.

THE COMMISSION'S MANDATE

The Manitoba Law Reform Commission was established by *The Law Reform Commission Act* to which royal assent was accorded on July 21, 1970 and which came into force on October 1, 1970. Its duties, as set out in the Act, are to inquire into and consider any matter relating to law in Manitoba with a view to making recommendations for the improvement, modernization and reform of law, including the removal of provisions which are outdated or inconsistent, the maintenance and improvement of the administration of justice, the review of judicial and quasi-judicial procedures under any Act and the development of new approaches to and new concepts of law in keeping with and responsive to the changing needs of society and of individual members of society. The recommendations of the Commission are made to the Minister charged with the administration of the Act (who has always been the Attorney General) and are then published and made publicly available.

The topics which are selected for review come from many different sources. First among these, of course, is the Attorney General of Manitoba; he may refer projects to the Commission and may assign priority to any which he selects. The Commission also frequently receives suggestions for projects from judges, law professors, lawyers, interest groups and members of the public. We are grateful for all suggestions and encourage all persons interested in law reform to point out to us areas which they encounter which require review. Although our limited resources do not permit us to take on every matter which is referred to us, anyone suggesting a topic can be assured that it will receive careful consideration.

Once a topic has been approved by the Commission, considerable research is undertaken by the legal staff (in some instances, where special expertise is required, the Commission may retain an outside consultant). Generally speaking, this research aims to determine the present state of the law in Manitoba, compare it with the law in other jurisdictions (both Canadian and foreign, such as England, Australia, New Zealand and the United States), and determine the views of legal commentators. Where appropriate, extensive consultation is also undertaken with

persons who are interested or experienced in the area of inquiry. A memorandum setting out the results of that research is then prepared by the staff and presented to the Commission for review; that memorandum will also identify various options for reform of the law. Where it is felt that additional consultation with interested groups or individuals is desirable (which is quite often the case), the Commission may defer making its policy determination and decide first to have a working paper or discussion paper prepared and circulated. Once the process of research, consultation and discussion is completed, the Commission decides upon its recommendations for changes in the law and a final report, based upon those recommendations, is written, submitted to the Attorney General and, in due course, published.

OPERATIONAL OBSERVATIONS

Meetings

The Commission held fifteen meetings from its restoration in August 1988 until March 31, 1989. The minimum number of meetings required by *The Law Reform Commission Act* is four meetings annually.

Budget

The Commission's budget for the 1988-89 fiscal year was approved by the Manitoba Legislature at $382,200. However, this cost to the government was partially offset by a grant of $100,000 received from the Manitoba Law Foundation. This grant was made to the government pursuant to the legislation which created it in 1986. It provided that a number of organizations (including the Commission) would receive mandatory grants for a period of three years. As a result, grants in the amount of $100,000 per annum were paid to the provincial government in respect of the Commission for the fiscal years 1986-87, 1987-88, and 1988-89. As indicated, the effect of these grants was to reduce the government funding and did not result in any increase in the resources available to the Commission.

The grant received this year was the last of the three mandatory grants. Hereafter, the provincial government will bear the full cost of the Commission's day-to-day operations (as it would for any other government programme and as recommended in our *Report on the Manitoba Law Reform Commission: A Framework for the Future*). We will then be free to apply to the Foundation for additional funds. Any grants approved by the Foundation will then be made directly to the Commission and will result in additional research monies. To that end, the Commission applied this year to the Foundation for a grant for the 1989-90 fiscal year and we are pleased to report that a grant of $30,000 has been approved. This additional funding will allow us to expand the scope of our reform activities during the coming year and we are most grateful to the Manitoba Law Foundation for its support of our work.

Personnel

Shortly following the announcement of the re-appointment of the Commissioners, we were fortunate in filling the vacancies in our legal staff. Mr. Leonard D. Schwartz, who recently completed his LL.M. at the Faculty of Law, University of Manitoba, was hired on a full-time basis in late September and Ms E. Kerrie Halprin, who had been employed by the Commission for a two year period in the late 1970s, rejoined our staff on a part-time basis in early October. Much of the work on the project on Provincial Court judges is the direct result of their efforts over the past months.

Although the STEP programme was unable to grant our request for two law students for the summer months, we did receive approval for one and were pleased to have the assistance of Ms Leslie Hutchison, a second year law student at the Faculty of Law, University of Manitoba. We hope that future requests for two students will receive favourable consideration by the STEP programme as they are a valuable asset to our work and provide much needed assistance to our relatively small legal staff.

We also wish to thank our Executive Director, Jeffrey Schnoor, our Legal Counsel, Iris Allen and Nancy Harwood, and our Administrator, Suzanne Pelletier, for their invaluable contributions to the success of our work.

Computerization

We are now in the final stages of computerizing our operation. The word processing of our reports is presently being converted to the Nota Bene program utilized by the legal staff, eliminating a great deal of duplication of effort. We have obtained two new work stations, a laser printer and a networking system. This will permit access to the MDS Manitoba Statutes Data Base as well as UMSEARCH (the University of Manitoba library index) from any of the computers. All staff are now equipped with their own computer. The addition of the Laser printer should also result in a more professional-looking final production of our published reports, as well as reduced printing costs.

THE COMMISSION'S PROGRAMME

Completed Projects

Formal reports

#70 - The Manitoba Law Reform Commission: A Framework for the Future - November 23, 1988

This project resulted from a reference from the Attorney General to which he assigned high priority. The report contains numerous recommendations aimed at better ensuring the continued existence and independence of the Commission. These include, among others: it should not be possible to wind up the Commission or alter its duties except by an Act of the Legislature; the Commissioners should hold office for fixed terms and should not be removed except for cause; staff members should be members of the Civil Service; the Government of Manitoba should be responsible for funding the full operating budget of the Commission but the Commission should be free to seek additional funds from outside sources (such as the Manitoba Law Foundation); and the Commission should have full control over the management and expenditure of its funds.

#71 - The Bulk Sales Act - December 21, 1988

Following the distribution of a Discussion Paper (which set out a possible alternative scheme to the existing legislation) and extensive consultation with lawyers, accountants, business people and credit-grantors, the Commission concluded that the Act does not achieve its aim and is essentially ineffective. By relying entirely on the vendor to provide an honest listing of creditors, the process is vulnerable to a dishonest vendor, the very person to whom the Act is directed. A

vendor intent on defrauding creditors should have no difficulty supplying a false list. Furthermore, the Act's application to selective types of businesses and assets renders it illogical and ineffective. The Commission also concluded that changes in society since the Act's introduction (some 80 years ago) have reduced or eliminated the need for such legislation and that any attempt to revise it and make it work effectively would result in excessively onerous and expensive legislation. As a result, the Commission recommended that *The Bulk Sales Act* be repealed and that no replacement be enacted.

No informal reports were submitted to the Attorney General during the current year.

Implementation of Recommendations

Since its inception in 1970, the Commission has submitted 71 formal Reports and 32 informal reports to the Attorney General of which 80% have been implemented (in full or in part) by legislation or otherwise. Appendix A contains a full list of our Reports, together with details of their implementation.

Work in Progress

Shortly following its re-establishment in early August, the Commission reviewed its agenda and the following is a list of the projects currently under study.

1. The Independence of Provincial Judges

As noted in our introduction, the Attorney General requested that the Commission review *The Provincial Court Act* and asked that it be given high priority. He indicated that, as part of our review, the Commission should consider measures to enhance the independence and impartiality of Provincial Court judges in areas such as appointment, tenure, retirement and other administrative matters; the tenure and appointment of the Chief Judge; the role and procedures of the Judicial Council; and the independence and appointment of justices of the peace and magistrates. Due to time constraints, it was agreed that the last item, justices of the peace and magistrates, should be dealt with separately.

All our legal staff were re-assigned to the project in varying degrees and we also retained the services of Ms Alison Diduck, a practising lawyer in Winnipeg, to prepare a paper on the issue of judicial immunity.

The report is now in its final stages and will be completed by the end of June.

2. Justices of the Peace and Magistrates

This is the second part of the project dealing with *The Provincial Court Act* noted above. Our review will consist of similar issues as those dealt with for Provincial Judges. It is also to be given some priority over our other projects.

3. Living Wills

This project addresses the question of whether individuals should be entitled to execute "living wills" (or some other instrument) instructing a physician to withhold or withdraw life-sustaining procedures in the event of a terminal condition in circumstances where they are otherwise unable to communicate. A background memorandum has been considered by the Commission and we have begun consultations with members of the legal and medical communities. In particular, we thank Prof. B. Sneiderman of the University of Manitoba, Faculty of Law, Dr. P. Henteleff and Dr. E. Boustcha of St.Boniface General Hospital and Dr. B. Kirk of the Health Sciences Centre. We hope to publish a Discussion Paper during the coming year.

4. *The Retirement Plan Beneficiaries Act*

This matter was referred to us by the Attorney General as a result of concern expressed to him in correspondence from the Trust Companies Association (Manitoba Section). At issue is the type of assets which may validly be the subject of the non-testamentary statutory designation authorized by this statute. Manitoba's statute apparently does not extend to Registered Retirement Savings Plans, a gap which may have very significant practical consequences.

A background memorandum is presently in preparation and we expect that it will result in either a Report or a Discussion Paper later in the year.

5. Land Titles Registration System

The Joint Land Titles Project Inter-provincial Committee, met in Edmonton, on November 21 and 22, 1988 and in Vancouver on March 20-22, 1989, to consider the development of a new model Land Titles Act. Attending were representatives from the land titles systems of the Yukon Territory, the Northwest Territories, British Columbia, Alberta, Saskatchewan, Manitoba and Ontario and from the law reform agencies of British Columbia, Alberta, Saskatchewan and Manitoba. Our representative was Dean D. Trevor Anderson, Faculty of Law, University of Manitoba. We are very grateful to Dean Anderson for the great deal of time he has given to this project.

The main purpose of the meetings was to review a report prepared by Prof. Mapp (formerly of the Alberta Law Reform Institute) and a partial draft land registration and titles statute drafted by him as a basis for discussion. Considerable progress was made and the draft provisions are now being revised by Mr. William Hurlburt of the Alberta Institute and Prof. Mapp. Once the revision is complete, further meetings will be scheduled.

6. *The Trustee Act*

In the fall of 1988, the Commissioners decided to undertake a study of *The Trustee Act* and the law of trusts. We were very fortunate in receiving the assistance of Dr. Donovan Waters, well known authority on the subject, in designing an outline plan. Dr. Waters attended at the Commission offices in mid-December and has now provided us with such an outline. We hope to be able to

retain the services of a lawyer (with the use of the Law Foundation grant) to undertake some of the preliminary work.

As noted above, all of our staff was re-assigned to the project on Provincial Court judges. As a result most of our projects have been deferred. Among these are: Minors' Contracts, Concurrent Realization on Real and Personal Property, Parts I, II and III of *The Landlord and Tenant Act*, Sterilization of Minors and Mentally Handicapped Adults (on which much work has already been done); Human Artificial Reproduction, Special Constables, Animal Protection and Control, the Law of Mortgages, (on which little or no work has been done); and *The Nuisance Act* and Personal Injury Compensation.

PUBLIC RELATIONS

In early 1988, Mr. Schnoor was invited to present a paper at the Council of Canadian Administrative Tribunals 4th Annual Conference which was held in Ottawa on May 30-June 1, 1988. The paper (which summarized our two Reports on Administrative Law - Part I: Procedures of Administrative Agencies and Part II: Judicial Review of Administrative Action) was very well received and has resulted in several demands for copies of those two Reports.

Prof. Edwards and Mr. Schnoor also attended the Conference of Law Reform Agencies and were joined by Ms Dawson at the Uniform Law Conference held in Toronto during the month of August. The law reform agencies Conference, in particular, provides us with an unparalleled opportunity to meet with our colleagues in the law reform movement and compare notes.

Ms Kate Bredin, of the Newfoundland Law Reform Commission, attended at our offices in June.

In early January, the members of the Commission met with Hon. Mr. Justice A.C. Hamilton and Ms D. Young of the Aboriginal Justice Inquiry of Manitoba to discuss possible areas of research which might be shared. Mr. Schnoor also met with Mr. B. Morse Director of Research for the Inquiry and Ms Young to attempt to identify areas of mutual concern.

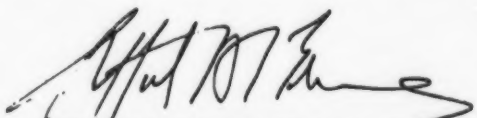
Prof. Edwards, Mr. Schnoor and Mr. Schwartz also met with Justice A.B. Handler of the New Jersey Supreme Court in the fall when he was in Winnipeg delivering several lectures. Justice Handler has played a key role in his state's pioneering judicial evaluation programme and he provided us with invaluable assistance on our project on Provincial Court judges.

ACKNOWLEDGMENTS

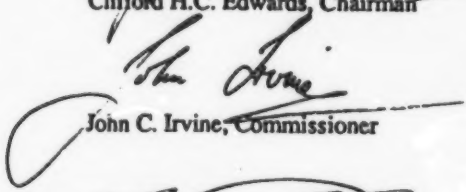
We wish to thank all who assisted in the work of the Manitoba Law Reform Commission over the last year. We extend special notes of thanks to the Dean of the Faculty of Law, D. Trevor Anderson, and to the staff of the E.K. Williams Library, the Attorney General's Library Services, the Great Library, and the Provincial Archives and Legislative Library.

Finally, the Commission appreciates the accessibility which the Honourable the Attorney General of Manitoba, the Hon. James C. McCrae, accords us and his continued interest and responsiveness to our work.

This is a Report pursuant to section 5(2) of *The Law Reform Commission Act*, submitted this 8th day of August 1989.

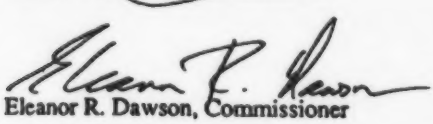


Clifford H.C. Edwards, Chairman



John C. Irvine, Commissioner

Gerald O. Jewers, Commissioner



Eleanor R. Dawson, Commissioner

Pearl K. McGonigal, Commissioner

APPENDIX A

REPORTS OF THE MANITOBA LAW REFORM COMMISSION

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
#1 Jury Service for Registered Indians	April 7, 1971	An Act to Amend The Jury Act, S.M. 1971, c. 32, Royal Assent July 27, 1971
#2 Summary Disposition of Builders' and Workmen's Liens	April 13, 1971	An Act to Amend The Builders And Workmen Act, S.M. 1976, c. 22, Royal Assent June 3, 1976
#3 Disposition of Maintenance Judgments in Land Titles Offices	May 25, 1971	An Act to Amend The Judgments Act, S.M. 1972, c. 4, Royal Assent May 9, 1972
#4 An Act Respecting Billiard and Pool Rooms proposed repeal	October 19, 1971	The Statute Law Amendment Act (1974), S.M. 1974, c. 59, Royal Assent June 14, 1974 (s. 8)
#5 Recommended Right of Mortgagors to Obtain Annual Statements	October 19, 1971	An Act to Amend The Mortgage Act, S.M. 1971, c. 28, Royal Assent July 6, 1972
#6 Enactment of a Mineral Declaratory Act	December 20, 1971	The Sand and Gravel Act, S.M. 1972, c. 34, Royal Assent July 6, 1972 An Act to Amend The Mines Act S.M. 1972, c. 70, Royal Assent July 20, 1972 (s. 11) An Act to Amend The Real Property Act, S.M. 1972, c. 70, Royal Assent July 6, 1972 (ss. 15 and 16)
#7 Powers of Entry, Search and Seizure in The City of Winnipeg Act	January 24, 1972	An Act to Amend The City of Winnipeg Act S.M. 1972, c. 93, Royal Assent July 20, 1972 (ss. 26, 37, 68, 69, 89 and in part ss. 38, 39 and 63) An Act to Amend The City of Winnipeg Act, S.M. 1974, c. 73, Royal Assent June 10, 1974 (ss. 8, 11, 23-26, 28-35, 38, 97 and 98)
1A Auto Engine Numbers in Section 11 of The Bills of Sales Act	May 11, 1971	The Statute Law Amendment Act, S.M. 1972, c. 81, Royal Assent July 20, 1972 (s. 3)

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
1B (a) Prospect of Mortgagor's Relief from Provisions of Section 20(6) of The Mortgage Act	December 29, 1971	(change not recommended)
(b)Right to Have Mortgage Discharged Upon Payment in Full After Five Years	December 29, 1971	An Act to Amend The Real Property Act, S.M. 1972, c. 37, Royal Assent July 6, 1972 (s. 103(1))
1C Amending provisions as to costs in Part II of The County Courts Act to avoid inconsistency with intent of this new legislation	January 12, 1972	An Act to Amend The County Courts Act, S.M. 1972, c. 38, Royal Assent July 6, 1972
First Annual Report	March 13, 1972	(not applicable)
#8 Section 45 of the Offenses Against the Person Act, 1861	July 27, 1972	An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, c. 13, Royal Assent May 25, 1973
#9 A Review of The Privacy Act with proposed amendments to the Criminal Code of Canada	September 11, 1972	(change not recommended)
#10 The Abolition of Interspousal Immunity in Tort	December 19, 1972	An Act to Amend The Married Women's Property Act, S.M. 1973, c. 12; An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, c. 13; An Act to Amend The Criminal Injuries Compensation Act, S.M. 1973, c. 23, Royal Assent May 25, 1973
2A Comments on draft Bill to Amend The Jury Act	April 21, 1972	An Act to Amend The Jury Act, S.M. 1972, c. 56, Royal Assent July 11, 1972 (in part)
2B Relaxation of Limit of Number of Trustees under The Trustee Act	June 22, 1972	An Act to Amend The Trustee Act, S.M. 1972, c. 60, Royal Assent July 11, 1972
2C Uniformity of Definition of Age as between The Age of Majority Act (Man.) and the Criminal Code and the Interpretation Act (Can.)	August 14, 1972	(not applicable for provincial amendment)

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
2D Automatic Attachment of Wages for Maintenance Orders	November 27, 1972	An Act to Amend The Garnishment Act, S.M. 1974, c. 8, Royal Assent June 10, 1974
Second Annual Report	March 20, 1973	(not applicable)
#11 The Advisability of a Good Samaritan Law	March 8, 1973	(change not recommended)
#12 Section 110 of The Real Property Act - the immortal Manitoba mortgage	April 11, 1973	An Act to Amend The Real Property Act, S.M. 1974, c. 44, Royal Assent June 10, 1974
#13 Pre-licensing Education for Real Estate Agents in Manitoba	December 3, 1973	An Act to Amend The Real Estate Brokers Act, S.M. 1975, c. 23, Royal Assent June 19, 1975
#14 Special Enduring Powers of Attorney	January 8, 1974	The Powers of Attorney Act, S.M. 1980, c. 4, Royal Assent July 9, 1980 (in part)
#15 Administration of Justice Part I - Control of Post-arrest/pre-trial detention	February 26, 1974	Administration of the Public Safety Building in Winnipeg assumed by the Province of Manitoba, effective October 1, 1977; now called The Winnipeg Remand Centre.
3A Conferring of matrimonial jurisdiction upon a County Court Judge as a local Judge of The Queen's Bench within the Eastern Judicial District	March 30, 1973	An Act to Amend The Queen's Bench Act, S.M. 1978, c. 28, Royal Assent July 20, 1978
3B Correcting recent error in s. 51 of The Queen's Bench Act	September 26, 1973	An Act to Amend The Queen's Bench Act, S.M. 1974, c. 15, Royal Assent June 10, 1974
3C Conferring jurisdiction to extent time for payment of fines upon provincial judges other than those who imposed such fines	October 16, 1973	(not applicable for provincial enactment)

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
3D Up-dating index to Statutes of Manitoba	October 23, 1973	Indexing commenced; computer search of statutes now available
3E Repeal of Section 212 of The Liquor Control Act	December 19, 1973	Substantial acceptance under s. 16 of an Act to Amend The Liquor Control Act, S.M. 1974, c. 63, Royal Assent June 14, 1974
Third Annual Report	April, 1974	(not applicable)
#16 Definition of Death	May 6, 1974	An Act to Amend The Vital Statistics Act, S.M. 1975, c. 5, Royal Assent June 19, 1975
#17 An International Form of Wills for Manitobans	May 6, 1974	An Act to Amend The Wills Act, S.M. 1975, c. 6, Royal Assent June 19, 1975
#18 The Rule in Saunders v. Vautier	January 8, 1975	An Act to Amend The Trustee Act, S.M. 1982-83-84, c. 38, Royal Assent August 18, 1983 (s. 4)
#19 The Administration of Justice in Manitoba Part II - Review of The Jury System	February 11, 1975	An Act to Amend The Jury Act, S.M. 1977, c. 18, Royal Assent June 18, 1977 (in part)
4A Interprovincial Subpoenas	January 27, 1975	The Interprovincial Subpoena Act, S.M. 1975, c. 3, Royal Assent June 19, 1975
4B Enforcement of Custody Orders	January 27, 1975	The Extra-Provincial Custody Orders Enforcement Act, S.M. 1975, c. 4, Royal Assent June 19, 1975
4C Statutory Sums	February 11, 1975	Various amendments to Manitoba Statutes (in part)
Fourth Annual Report	April, 1975	(not applicable)
#20 The Highway Traffic Act	June 16, 1975	An Act to Amend The Highway Traffic Act, S.M. 1977, c. 34, Royal Assent June 18, 1977 (in part) An Act to Amend The Highway Traffic Act and The Tortfeasors and Contributory Negligence Act, S.M. 1980, c. 19, Royal Assent July 9, 1980

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
#21 The Administration of Justice in Manitoba Part III - Consolidation of Extra-Provincial Judgment Enforcement	January 28, 1976	-
#22 Some Aspects of Fire Insurance Legislation in Manitoba	February 9, 1976	An Act to amend The Insurance Act, S.M. 1982, c. 11,, Royal Assent May 25, 1982 (s. 1) (in part)
#23 Family Law - Part I The Support of Obligation	February 27, 1976	The Family Maintenance Act, S.M. 1978, c. 25, Royal Assent July 20, 1978 (in part)
#24 Family Law - Part II Property Disposition	February 27, 1976	An Act to Amend The Gift Tax Act (Manitoba) and The Succession Duty Act (Manitoba), S.M. 1977, (2nd Session), c. 2, Royal Assent December 12, 1977 The Marital Property Act, S.M. 1978, c. 24, Royal Assent July 20, 1978 (in part) An Act to Amend various Acts relating to Marital Property, S.M. 1978, c. 27, Royal Assent July 20, 1978 (in part) An Act to Amend The Wills Act, S.M. 1980, c. 7, Royal Assent July 9, 1980
5A Limitation of Actions for the taking away, conversion or detention of chattels	May 26, 1975	An Act to Amend The Fatal Accidents Act and Limitation of Actions Act, S.M. 1976, c. 41, Royal Assent June 11, 1976 (ss. 2-4)
Fifth Annual Report	March 29, 1976	(not applicable)
#25 The Case for a Provincial Bill of Rights	May 19, 1976	-
#26 Revision of Birth Certificates of Trans-sexual persons	September 13, 1976	The Vital Statistics Act, S.M. 1982-83-84, c. 58, Royal Assent August 18, 1983
Sixth Annual Report	March 14, 1977	(not applicable)

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
7A The Local Authorities Election Act	May 31, 1977	An Act to Amend The Local Authorities Election Act, S.M. 1980, c. 48, Royal Assent July 29, 1980
Seventh Annual Report	March 1, 1978	(not applicable)
#27 Limitation of Actions: Time Extensions for Children, Disabled Persons and Others	January 8, 1979	An Act to Amend The Limitation of Actions Act, S.M. 1980, c. 28, Royal Assent July 29, 1980
#28 Enforcement of Judgments Part I: Exemptions under The Garnishment Act	January 8, 1979	An Act to Amend The Garnishment Act, S.M. 1979, c. 8, Royal Assent May 11, 1979
#29 Emergency Apprehension, Admissions and Rights of Patients under The Mental Health Act	February 12, 1979	An Act to Amend The Mental Health Act, S.M. 1980, c. 62, Royal Assent July 29, 1980 (in part)
#30 Confidentiality of Adoption Records	February 12, 1979	An Act to Amend The Child Welfare Act, S.M. 1979, c. 22, Royal Assent June 15, 1979 (s. 60) An Act to Amend The Child Welfare Act, S.M. 1980, c. 41, Royal Assent July 29, 1980 Establishment of a Post-adoption Registry
8A Section 5(1) of The Social Allowances Act	March 30, 1978	The Statute Law Amendment Act (1984), S.M. 1984, c. 17, s. 29
Eighth Annual Report	February 12, 1979	(not applicable)
#31 Political Financing and Election Expenses	August 13, 1979	The Elections Finances Act, S.M. 1980, c. 68, Royal Assent July 29, 1980
#32 Mechanics' Liens Legislation	August 13, 1979	The Builders' Liens Act, S.M. 1980-81, c. 7, Royal Assent May 26, 1981
#33 Enforcement of Revenue Statutes	August 13, 1979	The Charter Compliance Statute Amendment Act, S.M. 1985, c. 50, Royal Assent July 11, 1985 (in part)
#34 Enforcement of Judgments Part III: Exemptions under the Executions Act	October 22, 1979	An Act to Amend The Executions Act, S.M. 1980, c. 55, Royal Assent July 29, 1980

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
#35 Estate Claims for Loss of Expectation of Life	October 22, 1979	An Act to Amend The Fatal Accidents Act and The Trustee Act, S.M. 1980, c. 5, Royal Assent July 9, 1980
#36 Improved Methods of Enforcing Support Orders Against Real Property	November 19, 1979	The Family Law Amendment Act, S.M. 1980, c. 54, Royal Assent July 19, 1980 (in part)
#37 Systems of Voter Registration	November 26, 1979	The Elections Act, S.M. 1980, c. 67, Royal Assent July 29, 1980
#38 The One Year Rule for Enforcement of Arrears in Maintenance	January 21, 1980	An Act to Amend The Family Maintenance Act and The Queen's Bench Act, S.M. 1980, c. 21, Royal Assent July 9, 1980
9A The Fire Departments Arbitration Act	April 17, 1979	An Act to Amend The Fire Departments Arbitration Act, S.M. 1980, c. 27, Royal Assent July 29, 1980
9B Section 7 of The Payment of Wages Act	August 15, 1979	An Act to Amend The Payment of Wages Act, S.M. 1980, c. 57, Royal Assent July 29, 1980 (in part)
9C The Seduction Act	October 22, 1979	The Equality of Status Act, S.M. 1982, c. 10, Royal Assent May 25, 1982
9D Section 9 of The Manitoba Evidence Act	November 6, 1979	An Act to Amend The Manitoba Evidence Act, S.M. 1980, c. 26, Royal Assent July 19, 1980
9E The Wills Act and Ademption	November 20, 1979	An Act to Amend The Wills Act, S.M. 1980, c. 7, Royal Assent July 9, 1980
9F The term "illegitimate"	December 4, 1979	(change not recommended)
Ninth Annual Report	February 25, 1980	(not applicable)
#39 Controverted Elections	April 21, 1980	-
#40 Enforcement of Judgments Part II: Exemptions under The Judgments Act	April 21, 1980	-
#41 The Statute of Frauds	August 11, 1980	An Act to repeal the Statute of Frauds, S.M. 1982-83-84, c. 34, Royal Assent August 18, 1983

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
#42 Occupiers' Liability	August 11, 1980	The Occupiers' Liability Act, S.M. 1982-83-84, c. 29, Royal Assent August 18, 1983; The Statute Law Amendment Act (1984), S.M. 1984, c. 17, Royal Assent June 29, 1984 (s. 28)
#43 The Wills Act and the Doctrine of Substantial Compliance	September 8, 1980	The Wills Act, S.M. 1982-83-84, c. 31, Royal Assent August 18, 1983
#44 The General Register	September 22, 1980	The Real Property Act and Various Other Acts Amendment Act, S.M. 1987, c. 27, Royal Assent July 17, 1987
#45 Simplified Mortgage	December 15, 1980	(legislative amendment not required)
10A Municipal Assessment of Personal Property	February 26, 1980	(referred to Special Committee)
10B The Marriage Settlement Act	October 9, 1980	The Statute Law Amendment Act, S.M. 1980-81, c. 26, Royal Assent May 26, 1981 (s. 22)
Tenth Annual Report	February 16, 1981	(not applicable)
#46 Conflict of Interest of Municipal Councillors	January 4, 1982	The Municipal Conflict of Interest Act, S.M. 1982-83-84, c. 44, Royal Assent August 18, 1983
#47 Prejudgment Compensation on Money Awards: Alternatives to Interest	January 4, 1982	The Judgment Interest and Discount Act, S.M. 1986, c. 39, Royal Assent Sept. 10, 1986 (implemented in principle) (now contained in Part XIV of The Court of Queen's Bench Act)
#48 Prescriptive Easements and Profits-à-prendre	January 18, 1982	-
#49 The Rules Against Accumulations and Perpetuities	February 12, 1982	The Perpetuities and Accumulations Act, S.M. 1982-83-84, c. 43, Royal Assent August 18, 1983
#50 Investment Provisions under The Trustee Act	February 12, 1982	An Act to Amend The Trustee Act, S.M. 1982-83-84, c. 38, Royal Assent August 18, 1983

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
11A Parents' Maintenance Legislation	March 3, 1981	-
11B Provincial Offences Procedures	June 29, 1981	An Act to Amend The Summary Convictions Act, S.M. 1982, c. 24, Royal Assent June 30, 1982
11C The Remembrance Day Act	January 28, 1982	-
Eleventh Annual Report	February 14, 1982	(not applicable)
#51 The Survivorship Act	September 7, 1982	The Survivorship Act, S.M. 1982-83-84, c. 28, Royal Assent August 18, 1983
#52 Structure of the Courts, Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba	October 25, 1982	An Act to amend The Queen's Bench Act and to repeal The County Courts Act, The Surrogate Courts Act and The County Court Judges' Criminal Courts Act and to amend The Municipal Boundaries Act, S.M. 1982-83-84, c. 82, Royal Assent August 18, 1983 The Court of Queen's Bench Small Claims Practices Act, S.M. 1982-83-84, c. 83, Royal Assent August 18, 1983 The Court of Queen's Bench Surrogate Practice Act, S.M. 1982-83-84, c. 84, Royal Assent August 18, 1983 An Act to amend Various Acts of the Legislature to facilitate the Reorganization and Expansion of the Court of Queen's Bench, S.M. 1982-83-84, c. 85, Royal Assent August 18, 1983
#53 The Law of Domicile	December 1, 1982	The Domicile and Habitual Residence Act, S.M. 1982-83-84, c. 80, Royal Assent August 18, 1983
#54 Certificate of Lis Pendens	February 1, 1983	The Court of Queen's Bench Act, S.M. 1988, Royal Assent November 16, 1988 (s. 58)

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
#55 Structure of the Courts, Part II: The Adjudication of Smaller Claims	March 7, 1983	The Statute Law Amendment Act (1985), S.M. 1985, c. 51, Royal Assent July 11, 1985 (in part)
Twelfth Annual Report	April 11, 1983	(not applicable)
#56 Medical Privilege	October 4, 1983	-
#57 Uniform Sale of Goods Act	November 1, 1983	-
Thirteenth Annual Report	April 2, 1984	(not applicable)
#58 Administrative Law; Part I: Procedures of Provincial Government Agencies	June 29, 1984	(legislative amendment not required); implementation, in part, through governmental policy
#59 Breach of Promise to Marry	October 1, 1984	The Family Law Amendment Act, S.M. 1987, c. 21, Royal Assent July 17, 1987
#60 An Examination of The Dower Act	November 19, 1984	-
#61 Intestate Succession	March 25, 1985	-
14A Jactitation of Marriage	October 5, 1984	The Family Law Amendment Act, S.M. 1987, c. 21, Royal Assent July 17, 1987
Fourteenth Annual Report	April 2, 1985	(not applicable)
#62 Small Projects	October 7, 1985	-
#63 The Testators Family Maintenance Act	December 16, 1985	-
#64 The Married Women's Property Act and Related Matters	December 16, 1985	-
#65 Section 83 of The Queen's Bench Act	March 31, 1986	The Statute Law Amendment Act (1986), S.M. 1986-87, c. 19, Royal Assent September 10, 1986 (s. 12)

Subject	Date Submitted	Original legislation implementing Commission's Recommendations
#66 The Human Tissue Act	March 31, 1986	The Human Tissue Act, S.M. 1987, c. 39, Royal Assent July 17, 1987 An Act to Amend The Anatomy Act, S.M. 1987, c. 57, Royal Assent July 17, 1987
15A Section 300 of The Liquor Control Act	June 17, 1985	-
Fifteenth Annual Report	May 6, 1986	(not applicable)
#67 Sections 33 and 34 of The Wills Act	June 16, 1986	The Statute Law Amendment Act (1987), S.M. 1987, c. 66, Royal Assent July 17, 1987 (s. 25) (in part)
#68 Periodic Payment of Damages	March 31, 1987	-
#69 Administrative Law, Part II: Judicial Review of Administrative Action	March 31, 1987	-
Sixteenth Annual Report	April 13, 1987	(not applicable)
17A The Wages Recovery Act	September 9, 1987	-
Seventeenth Annual Report	September 14, 1988	(not applicable)
#70 The Manitoba Law Reform Commission: A Framework for the Future	November 23, 1988	-
#71 The Bulk Sales Act	December 21, 1988	-